

Amendment No. 1 to SB1623

Gresham  
Signature of Sponsor

**AMEND Senate Bill No. 1623\***

**House Bill No. 1981**

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-6001(b), is amended by adding the following language as a new subdivision (2) and renumbering current subdivision (2) as subdivision (3):

(2)

(A) If an assessment required under subdivision (b)(1) is misadministered by fault of the assessment provider, as determined by the department of education, then the assessment provider must respond as follows:

(i) An incident report on the misadministration must be provided to the department of education and the LEA or LEAs in which the misadministration occurred. The incident report shall provide remediation plans that will result in reportable scores, if possible;

(ii) The assessment provider shall reimburse the LEA or LEAs in which the misadministration occurred for any exam that does not result in a reportable score for the student; and

(iii) The assessment provider shall provide an opportunity for any student impacted by the misadministration to take the assessment again at no charge.

(B) Failure to respond as required in subdivision (b)(2)(A) shall result in the state not continuing to use the assessment and shall be considered a breach of contract by the assessment provider.

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SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring  
it.